



DEPARTMENT OF THE AIR FORCE  
WASHINGTON, DC

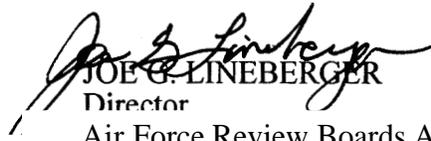
NOV 30 1998

Office of the Assistant Secretary  
AFBCMR 97-03191

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that he was awarded the Vietnam Service Medal for direct support of operations in Vietnam on 15 September 1969.

  
JOE G. LINEBERGER  
Director  
Air Force Review Boards Agency

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

NOV 30 1998

IN THE MATTER OF:

DOCKET NUMBER: 97-03191-

COUNSEL: [REDACTED]

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His DD Form 214 (Armed Force of the United States Report of Separation) be corrected to show that he was temporary duty (TDY) to [REDACTED] Vietnam, while he was assigned to the [REDACTED] Tactical Airlift Squadron, [REDACTED] AB [REDACTED].

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APPLICANT CONTENDS THAT:

Applicant makes no contentions on his application other than saying unit and time spent in Vietnam with the [REDACTED] Tactical Airlift Wing; home base [REDACTED].

Applicant's complete submission is attached at Exhibit A.

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STATEMENT OF FACTS:

It appears that the applicant's military personnel records were destroyed by fire in 1973. Therefore, neither his service in the Air Force nor the facts surrounding his alleged TDY spent in Vietnam can be verified.

The Air Force indicates that AF Form 7 (Airman Military Record), Item 2, reflects the applicant served in the Air Force from 25 Oct 66 - 16 Sep 79, with two tours in Taiwan:

30 Apr 67 - 30 May 68  
2 Jul 69 - 2 Oct 70

[REDACTED] Tactical Airlift Squadron  
[REDACTED] Organizational Maintenance  
(OM) Squadro

On 10 Nov 97, AFPC/DPAIP1 requested the applicant furnish copies of TDY orders, Travel Vouchers, etc., in order to substantiate his claim. In response, the applicant submitted a photograph and a letter from an individual, dated 28 Nov 97, who indicated that

he and the applicant met at [REDACTED] AB in Sep 69 and that the applicant was part of the crew of a C-130 aircraft that was TDY to [REDACTED] on a mission delivering supplies to Phu Cat AB and other military installations in Vietnam (see Exhibit C).

Applicant's DD Form 214 reflects he was released from active duty on 16 Sep 70 under the provisions of AFM 39-10 (Convenience of the Government) in the grade of sergeant with an honorable characterization of service. He was credited with 3 years, 10 months, and 22 days of active service.

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AIR FORCE EVALUATION:

The Assignment Advisor, AFPC/DPAIP1, reviewed this application and indicated that, in their review of the records, they were unable to verify that the applicant had performed TDY duty in Vietnam. They requested the applicant furnish any documents that he might have in his personal files that would confirm any Vietnam service. He was informed of the type of documents needed, i.e., TDY travel orders, paid travel vouchers, and any other items he might have to help DPAIP1 make a decision on his claim of Vietnam service. In conclusion, without source documents, the request should be disapproved. However, although the normal documents DPAIP1 uses to verify overseas duty are not available to verify applicant's claim of Vietnam service, he submitted a hand written notarized letter and a photo of two airmen standing at an entry door of a military aircraft. The aircraft appears to be a USAF C-130. The applicant is the airman with the sergeant stripes and his left hand on his left hip. Based on the letter and the photo submitted by the applicant, it appears that he was in Vietnam for at least one day in Sep 69.

A complete copy of the Air Force evaluation, with attachments, is attached at Exhibit C.

The Recognition Programs Branch, AFPC/DPPRA, also reviewed this application and indicated that the Vietnam Service Medal is awarded to all members of the Armed Forces of the United States serving during the period 4 Jul 65 - 28 Mar 73 in Vietnam or in Thailand, Cambodia and Laos, in direct support of operations in Vietnam. To be eligible, a service member must be:

(1) Attached to or regularly serving for one or more days with an organization participating in or directly supporting ground (military) operations.

(2) Actually participate as a crew member in one or more aerial flights directly supporting military operations.

(3) Serve TDY for 30 consecutive or 60 nonconsecutive days.

There is no indication in the applicant's records that he performed any TDY trips while on active duty. After being requested to furnish copies of official documentation to substantiate his claim, he provided an unsubstantiated letter and photograph, neither of which can be verified. Applicant has not provided any documentation to show that he was TDY to Vietnam in direct support of military operations there, that he was TDY to Vietnam for 30 consecutive or 60 nonconsecutive days, or, that he was a regularly assigned crew member. Although DPPRA does not doubt that the photograph may have been taken in Vietnam, it is not an official document and it does not verify any of the eligibility criteria. The applicant has failed to substantiate his claim in any way and DPPRA recommends disapproval of his request to have his DD Form 214 reflect duty in Vietnam.

A complete copy of their evaluation, with attachment, is attached at Exhibit D.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Counsel indicated that the applicant was unable to produce additional information to substantiate his claim. Counsel states that the applicant was assigned to the 314<sup>th</sup> OM Squadron in Taiwan and elements of the 314<sup>th</sup> OM Squadron flew numerous missions into the Republic of South Vietnam during the Vietnam War. The applicant flew on several of these missions in 1968, 1969 and 1970. The accumulative time "In Country" totals approximately 8 months (more or less) with the majority of time "In Country" between 1969 and 1970. On one specific occasion, the applicant spent 66 days "In Country" in 1970 at Tan Son Nhut AFB. While assigned to this duty, the applicant was authorized and paid "hazardous duty" pay for this period and a review of unit log books, morning reports, etc., should confirm his claims. This information is crucial in establishing the applicant's eligibility for medical treatment by the Veterans' Administration (VA) for a serious medical condition that can only be attributed to being in Vietnam and which the applicant is currently experiencing.

Counsel's complete response is attached at Exhibit F.

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.

3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. Even though the applicant has not substantiated that he was ever TDY to the Republic of South Vietnam during the Vietnam War, we note the statement provided by an individual who indicated that he and the applicant corresponded on several occasions while the applicant was on several different TDY assignments in Vietnam. In view of this statement, we are convinced that the applicant was TDY in the Republic of Vietnam for at least one day. Therefore, in order to offset any possibility of an injustice, we recommend his records be corrected as indicated below.

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THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that he was awarded the VSM for direct support of operations in Vietnam on 15 Sep 69.

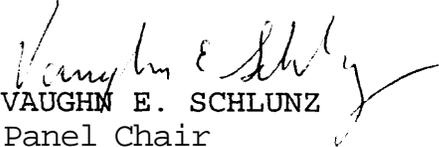
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The following members of the Board considered this application in Executive Session on 29 September 1998, under the provisions of AFI 36-2603:

Mr. Vaughn E. Schlunz, Panel Chair  
 Mr. Richard A. Peterson, Member  
 Mr. Patrick R. Wheeler, Member  
 Mrs. Joyce Earley, Examiner (without vote)

All members voted to correct the records, as recommended. The following documentary evidence was considered:

Exhibit A. DD Form 149, dated 21 Oct 97, w/atchs.  
 Exhibit B. Applicant's Master Personnel Records.  
 Exhibit C. Letter, AFPC/DPAIP1, dated 19 Dec 97, w/atchs.  
 Exhibit D. Letter, AFPC/DPPPRA, dated 22 Dec 97, w/atchs.  
 Exhibit E. Letter, AFBCMR, dated 5 Jan 98.  
 Exhibit F. Letter fr counsel, dated 3 Mar 98.

  
 VAUGHN E. SCHLUNZ  
 Panel Chair